

PLANNING AND DEVELOPMENT SERVICES REPORT
CONDITIONAL USE PERMIT

PUBLIC HEARING
PZ-15-00164-01/02

DATE: January 6, 2016
MEETING DATE: January 13, 2016
REPORT BY: Brian Kulina, AICP

REQUEST:

A Conditional Use Permit request from Core Campus LLC to (1) establish the Rooming and Boarding use and (2) permit 93% lot coverage within the T5 Main Street (T5) transect zones on approximately 2.39 acres located at 17 S Mikes Pike.

STAFF RECOMMENDATION:

Staff recommends approval of Conditional Use Permit PZ-15-00164-01/02 subject to three (3) conditions.

PRESENT LAND USE:

Commercial, contractor office and storage yard, automotive lube shop, and single-family residential.

PROPOSED LAND USE:

The proposed Conditional Use Permit, combined with a proposed Zoning Map Amendment request and other parcels, will allow for the development of a 99 dwelling unit/acre mixed-use multi-family style student housing building consisting of 236 dwelling units (664 beds) located above and behind approximately 14,096 square feet of commercial uses on approximately 2.39 acres.

NEIGHBORHOOD DEVELOPMENT:

	Current Use	Transect Zoning	Traditional Zoning
North	City of Flagstaff Phoenix Storage Building, NAIPTA Transfer Station, Flagstaff Bicycle Revolution, Pizzicletta	T5 Main Street (T5)	Commercial Service (CS)
East	Flag Tee Factory, Flag Lock, The Toasted Owl Café, Enchanted Spas, Interactive Humanics, Inc., Agassiz Landscape Group	T4 Neighborhood 1 Open (T4N.1-O)	Commercial Service (CS)
South	Residential duplex, Granny's Closet parking lot, Peoples Mortgage	T5 Main Street (T5) T4 Neighborhood 1 Open (T4N.1-O)	Commercial Service (CS) Highway Commercial (HC)
West	Granny's Closet parking lot, Mike & Ronda's The Place, Brake Masters, Ruff's Sporting Goods	T5 Main Street (T5)	Highway Commercial (HC)

REQUIRED FINDINGS:

The Planning and Zoning Commission may approve the Conditional Use Permit only after making a finding that:

1. The conditional use is consistent with the objectives of the Zoning Code and the purpose of the zone in which the site is located;
2. That granting the conditional use will not be detrimental to the public health, safety, or welfare, and

3. The characteristics of the conditional use as proposed, and as it may be conditioned, are reasonably compatible with the types of uses permitted in the surrounding area.

The Conditional Use Permit shall be issued only when the Planning and Zoning Commission finds that the applicant has considered and adequately addressed the following to ensure that the proposed use will be compatible with the surrounding area (Flagstaff Zoning Code Section 10-20.40.050.E.3):

- Access, traffic, and pedestrian, bicycle and vehicular circulation;
- Adequacy of site and open space provisions, including resource protection standards, where applicable;
- Noise, light, visual and other pollutants;
- Proposed style and siting of structure(s), and relationship to the surrounding neighborhood;
- Landscaping and screening provisions, including additional landscaping in excess of otherwise applicable minimum requirements;
- Impact on public utilities;
- Signage and outdoor lighting;
- Dedication and development of streets adjoining the property; and
- Impacts on historical, prehistoric or natural resources.

Conditions of approval will only be imposed if they are necessary to ensure the intent and purpose of the Zoning Code are met; to ensure compatible and complementary development of the property; and to ensure the provision of appropriate off-site improvements will be fulfilled.

STAFF REVIEW:

Introduction and Discussion

Core Campus LLC (the “Developer”), is the developer of approximately 2.39 acres located at 17 S Mikes Pike (APNs 100-39-001C, 00-39-010, 100-39-009, 100-39-008, 100-39-001G, 100-39-002A, and 100-39-011C) adjacent to the Southside neighborhood (the “Subject Property”). The requested Conditional Use Permit contains two separate requests. The first request to establish the Rooming and Boarding use on the Subject Property. The second request is to permit 93% lot coverage within the T5 Main Street (T5) transect zone on the Subject Property. The Subject Property is currently subject to a proposed Zoning Map Amendment amending the Downtown Regulating Plan as follows: (1) from the existing T4 Neighborhood 1 (T4N.1) transect to the proposed T5 Main Street (T5) transect to allow for ground floor commercial uses and establish a 5-floor maximum building height, located along Mikes Pike and containing approximately 1.35 acres; and, (2) from the existing T4 Neighborhood 1 (T4N.1) and the T5 Main Street (T5) transects to the proposed T4 Neighborhood 2 (T4N.2) transect to allow for ground floor residential uses and establish a 4-floor maximum building height, located along Phoenix Avenue and containing approximately 0.29 acres. As a condition of approval, the Conditional Use Permit will not become effective until the Zoning Map Amendment is approved and recorded.

The Developer has elected to design the Subject Property in accordance with the T4 Neighborhood 2 (T4N.2) and T5 Main Street (T5) transect zone development standards. Sections 10-40.40.080.I and 10-40.40.090.I of the Zoning Code (Pages 40.40-35 and 40.40-41, respectively) identifies Rooming and Boarding as a permitted use within the T4 Neighborhood 2 (T4N.2) and T5 Main Street (T5) transect zones subject to the approval of a Conditional Use Permit by the Planning and Zoning Commission. Section 10-40.40.090.F of the Zoning Code (Page 40.40-38) establishes a maximum lot coverage within the T5 Main Street (T5) transect zone of 80% with a footnote allowing permitting up to 100% lot coverage subject to the approval of a Conditional Use Permit by the Planning and Zoning Commission. The processing of this Conditional Use Permit application is consistent with the Zoning Code. A discussion of how this application satisfies those requirements is contained within this report. Where appropriate, each Conditional Use Permit request will be addressed separately.

On December 11, 2015, the Inter-Division Staff (IDS) approved a site plan, a copy of which is attached to the corresponding

Zoning Map Amendment request, for the proposed development subject to successfully obtaining a Conditional Use Permit from the Planning and Zoning Commission for the establishment of the Rooming and Board use and the permitting of additional lot coverage.

Access and Traffic; Pedestrian, Bicycle and Vehicular Circulation

Primary access (vehicular, bicycle, and pedestrian) to the Subject Property is provided from Mikes Pike, Milton Road, and Phoenix Avenue. A Traffic Impact Analysis (TIA) was prepared by the Developer to demonstrate the anticipated traffic volumes generated from the proposed development. The City Traffic Engineer reviewed the site plan and TIA and subsequently accepted the results subject to the following conditions:

1. The Traffic Impact Analysis demonstrates that a traffic signal is not warranted at the intersection of San Francisco and Franklin in 2017 background, but is warranted with the site traffic. In lieu of constructing the signal, the City of Flagstaff is requiring the Hub to pay on half of the estimated cost of constructing a new 4-leg signal at this intersection. The total cost of the improvements will be calculated and provided by the City of Flagstaff and used to determine the Hub's proportional share cost, which will be documented in a Development Agreement.
2. The Traffic Impact Analysis estimates the volume of pedestrians crossing Butler Avenue at Humphreys, during peak hour, will increase approximately 100% in 2017, as a result of this development. Consequently, the pedestrian crossing may need to be upgraded in the near future. In lieu of constructing improvements at this time, the City of Flagstaff is requesting that the Hub pay for one half of the estimated cost of these improvements. The total cost of the improvements will be calculated and provided by the City of Flagstaff as used to determine the Hub's proportional share cost, which will be documented in a Development Agreement.

Additional improvements within the adjacent rights-of-way include: new curb, gutter, sidewalk, and parkway along all frontages; and, the dedication of right-of-way for a future deceleration and right-turn lane on northbound Milton Road to eastbound Phoenix Avenue. Bicycle access and parking has been provided on-site in accordance with the Zoning Code.

Adequacy of Site/Open Space/Resource Protection

Development within transect zones is not governed by density. Instead, development is reliant upon meeting other requirements including building height, adequate parking, and lot coverage. The Rooming and Boarding use is purely and internal use and has no effect on building design, the adequacy of the site, or open space requirements. Increasing the allowable lot coverage does have a direct impact on the adequacy of the site and open space. Assuming approval of the Zoning Map Amendment, approximately 2.1 acres of the Subject Property are zoned T5 Main Street (T5). At the establish lot coverage rate of 80%, approximately 18,295 square feet of the Subject Property must remain as ground level open space. Increasing coverage to 93%, the ground level open space is reduced to 6,403 square feet. The Developer proposes to off-set this reduction by the inclusion of a 16,500 square foot courtyard amenity on the second floor of the development, in addition to the 3,613 square feet of open space located along Phoenix Avenue adjacent to the T4 Neighborhood 2 (T4N.2) zone. Even with the proposed increase in lot coverage, the development meets all established setbacks.

In accordance with Section 10-30.80.060.B.1.a of the Zoning Code (Page 30.80-9), civic space within infill transect developments should be assigned based on community need. The Subject Property, according to the Flagstaff Regional Plan 2030, is located within the periphery of 2 activity center pedestrian sheds. As such, it is not conducive to the activation of the activity center by placing large amounts of civic space at the periphery; however, this does not completely eliminate the requirement for the development to provide some level of civic space. Based on the urban form achieved, civic space is provided adjacent to the commercial storefronts in areas that can be utilized for outdoor cafes and along Phoenix Avenue in pockets of landscaped area between the building façade.

In accordance with Section 10-50.90.020.A of the Zoning Code (Page 50.90-2), the Subject Property is not located within the established Resource Protection Overlay (RPO) zone. As such, the resource protection standards are not applicable to the proposed development.

Noise, Light, Visual and Other Pollutants

The proposed increase in lot coverage on the Subject Property is compatible with adjacent land uses and is not anticipated to have any adverse noise, light, visual, or other impacts on the neighborhood.

The proposed use of the Subject Property as Rooming and Boarding functionally operates as a multi-family residential development. In accordance with Section 10-80.20.180 of the Zoning Code (Page 80.20-67), the Rooming and Boarding use is defined as “a residence or dwelling, other than a hotel, wherein three or more rooms...are rented to individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent, or rental agent is in the residence.” Based on the definition, Rooming and Boarding is simply a mechanism by which to rent or lease rooms to individuals, as compared to a multi-family apartment complex wherein on dwelling unit, regardless of the number of rooms contained therein, are rented or leased under one agreement as a whole. The proposed use is compatible with the adjacent land uses, which include commercial and multi-family residential. Any impacts regarding noise may be similar to that of a traditional multi-family residential development. Those impacts will be addressed and enforced as part of the Management Plan required by the Development Agreement associated with the Zoning Map Amendment. The Management Plan will address, at a minimum: implementation and maintenance of the plan; provisions for an on-site manager; restricting the leasing to only one resident per bedroom; and, the creation, implementation, and maintenance of rules and regulations. It is not anticipated that the use will have any adverse light, visual, or other impacts on the neighborhood.

Style and Siting of Structure(s), and Relationship to Surrounding Neighborhood

Existing development in the vicinity of the Subject Property is primarily single-story commercial with a single-story residential duplex to the south. The proposed development consists of one building ranging in building heights from 4-stories/52-feet along Phoenix Avenue, 4-stories/49-feet along Milton Road, and 5-stories/64-feet along Mikes Pike. It has become apparent that the proposed bulk and mass of the building adjacent to Mikes Pike is not fully compatible with the existing neighborhood. As such, staff supports a condition of approval on the corresponding Zoning Map Amendment that would limit building height adjacent to Mikes Pike to 4-stories/52-feet, which partially addresses the relationship of the building to the neighborhood while acknowledging existing development rights that allow redevelopment of adjacent parcels at 3 ½-stories using transect zoning and 5-stories using traditional commercial zoning. While this condition would result in the removal of 7-dwelling units and 21 beds from the development, it would establish a potential development pattern from Milton Road to Beaver Street in that building height, utilizing the transect development standards, would transition from 4-stories, to 5-stories, to 4-stories, to 3 ½-stories, and back to 5-stories, respectively.

Color elevations are attached to the Zoning Map Amendment report for review. The Developer has provided a design that includes a combination of pitched and flat roofs with building materials and window designs that are traditionally seen throughout Flagstaff. Ground floor commercial presents a storefront, with possibilities for sidewalk cafes, to the street while the ground floor residential has a series of stoops and covered entryways to establish a pedestrian scale to the buildings and clearly define the main entrances. Staff believes the proposed building design, material, and site work together to provide a development that integrates into the neighborhood and meets the design requirements of the Zoning Code. Final design compliance will be ensured during the building permit review process.

Landscaping and Screening

Table 10-50.60.040.A of the Zoning Code (Page 50.60-10) requires that a residential zone buffer and other landscape areas be provided for development within the T4 Neighborhood 2 (T4N.2) transect at a rate of 1 tree per 25 lineal feet with 2

shrubs and 2 groundcover plants per tree. In addition, parking area landscaping must be provided at a rate of 2 trees per 8 parking spaces with 2 shrubs and 2 groundcover plants per tree. Table 10-50.60.040.A of the Zoning Code further requires parking area landscaping within the T5 Main Street (T5) transect at the above-mentioned rate. Since no surface parking is proposed, the parking area landscape calculation was not utilized. A preliminary landscape plan, which was included as part of the approved site plan attached to the Zoning Map Amendment report, demonstrates that the proposed landscaping meets the requirements of the Zoning Code. A final landscape plan, prepared in accordance with Section 10-50.60.030.C of the Zoning Code (Page 50.60-6), will be required as part of the building permit submittal.

Impact on Public Utilities

Existing waterlines in the area include an 8-inch case iron line located in Phoenix Avenue, a 6-inch cast iron line in Mikes Pike, and an 8-inch cast iron line in Milton Road. Existing public sewer mains in the area include an 8-inch clay line located in Mikes Pike, an 8-inch clay line in Phoenix Avenue, and an 8-inch cast iron line in Butler Avenue. A Water and Sewer Impact Analysis ("WSIA") was prepared by Civil Design & Engineering, Inc. at the request of the City Utilities Department. The analysis concluded that the existing water and sewer system infrastructure in Mikes Pike needs to be replaced due to ages, size, and material. Specifically, the existing waterline will be replaced and upgraded to a 10-inch PVC pipe and the existing sewer line will be replaced with an 8-inch PCV pipe. The WSIA indicates that the City will participate in the costs associated with the water line improvements not located along the project frontage. The upsizing of the waterline is not needed to service the proposed development. As such, the City of Flagstaff has agreed to participate in the additional costs associated with the upsizing, which will be finalized as part of the proposed Development Agreement.

Signage and Outdoor Lighting

It is anticipated that development will include building mounted signage for the proposed commercial uses and the residential use. The final design and location of these signs, which shall be in compliance with Section 10-50.100 of the Zoning Code (Page 50.100-1), will be determined during the review of a separate sign permit, which must be obtained prior to placement of the signs on-site.

The Subject Property is located within Lighting Zone 2. In accordance with Table 10-50.70.050.A of the Zoning Code (Page 50.70-6), the maximum total outdoor light output standard for a commercial/multi-family residential development within Lighting Zone 2 is 50,000 lumens/acre, which includes 5,500 lumens/acre for partially shielded light fixtures, and 5,000 lumens/acres for non-Low Pressure Sodium ("white") general illumination light sources. Based on the acreage of the Subject Property, the total allowed outdoor light output standard is 119,500 lumens, which includes 13,145 lumens for partially shielded light fixtures and 11,950 lumens for non-Low Pressure Sodium ("white") general illumination light sources. The Exterior Lighting Plan, a copy of which is attached to the Zoning Map Amendment report, identifies 214 fully shielded light fixtures, ranging in lumen output from 73 lumens to 2,011 lumens, proposed to be used in conjunction with this development. As proposed, the total on-site lumen count is 90,038 lumens, which includes zero partially shielded light fixtures, 72,464 Class 1 non-Low Pressure Sodium light sources, and 17,574 lumens from amber Light Emitting Diode light sources. Final lighting compliance will be ensured during building permit review.

Dedication and Development of Streets

Proposed improvements within the right-of-way include: new curb, gutter, sidewalk, and parkway along all frontages; and, the dedication of right-of-way for a future deceleration and right-turn land on northbound Milton Road to eastbound Phoenix Avenue. It is important to note that Milton Road is under the jurisdiction of the Arizona Department of Transportation (ADOT). As such, ADOT must issue permits for any work performed within their right-of-way in addition to approving any plans/studies related to those improvements.

Impacts on Historic, Prehistoric, or Natural Resources

A Phase 1 Cultural Resource Study was prepared for the Subject Property and it was determined that two significant cultural resources were identified in the Direct Area of Potential Effects (APE)—the buildings at 17 and 17 ½ S Mikes Pike. Twelve significant cultural resources were identified in the 1/8-mile Indirect APE—two historic districts and ten individual resources. The project would result in major impacts to the two buildings at 17 and 17 ½ S Mikes Pike located within the Direct APE. The project would result to significant cultural resources in the Indirect APE would be that of no adverse effect. It was determined, with approval by the Heritage Preservation Commission, that the relocation of the building, in lieu of demolition, would be the recommended option. In either case, a Phase 2 Cultural Resource Study for the two buildings was prepared and accepted by the city. The project has no additional impacts on other sites or buildings of historical or cultural significance. As previously mentioned, the site is not located within the established Resource Protection Overlay (RPO) zone.

Public Contacts

As of this writing, staff has received 11 letters and 12 e-mails from interested parties, which can be divided into 2 categories: opposed, and support. Those comments in opposition (22 total) expressed concerns over compatibility, sociological impacts, infrastructure, student behavior, neighborhood character, traffic, unsupportable retail, parking, aesthetics, location, views, shadow cast, building massing, design, impact on tourism, Northern Arizona University's problem to address, neighborhood history, student housing, undesirable part of town for students, density, and availability of other housing types.. The comment in support (1 total) expressed the need for student housing, location, and need. A table summarizing all public comments received to the date of this writing as well as copies of each comment is attached to this report.

RECOMMENDATION:

Staff recommends that this Conditional Use Permit request be granted by the Planning and Zoning Commission with the conditions and requirements included in Conditional Use Permit PZ-15-00164-01/02, a copy of which is attached to this report.

Attachments:

- Conditional Use Permit PZ-15-00164-01/02
- Proposition 207 Waiver
- Conditional Use Permit Application (Rooming and Boarding)
- Conditional Use Permit Application (Lot Coverage)
- Public Hearing Legal Advertisements
 - Coconino County Assessor's Parcel map
 - Posting, Publication, and Mailing
- Public Comment Packet (Summary Table and Letters/E-mails Received)
- Conditional Use Permit—Rooming and Boarding Narrative
- Conditional Use Permit—Lot Coverage Narrative